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Letter dated 21 March 2006 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Chairman of the Committee

I have the honour, with reference to your letter dated 15 November 2005, to submit herewith the additional report of Bosnia and Herzegovina pursuant to Security Council resolution 1540 (2004) (see annex). The present report contains clarifications on our previous report on the areas requested in the aforementioned letter.

I would like to express my gratitude for the continuing cooperation between Bosnia and Herzegovina and the Security Council Committee established pursuant to resolution 1540 (2004).

(*Signed*) Milos P. **Prica**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Bosnia and Herzegovina
to the United Nations

06-28339 (E) 290306

Annex to the letter dated 21 March 2006 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Chairman of the Committee

OP 1 and related matters form OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: **Bosnia and Herzegovina**

	Did you make one of the following statements or is your country a State Party to or Member State of the following Conventions, Treaties and Arrangements?	YES	If YES, indicate relevant information (i.e. signing, accession, ratification, entering into force e.t.c)
1.	General statement on non-possession of WMD	X	Bosnia and Herzegovina (BiH) does not posses chemical, biological or nuclear weapons.
2.	General statement on commitment to disarmament and non-proliferation	X	BiH is committed to take all necessary steps concerning disarmament and prevention of proliferation of WMD
3.	General statement on non-provision of WMD and related materials to non-State actors	X	BiH has never provided any form of support to non-State actors
4.	Biological Weapons Convention (BWC)	X	BiH took over this Convention through the process of succession
5.	Chemical Weapons Convention (CWC)	X	Ratified on November 29, 1996
6.	Nuclear Non-Proliferation Treaty (NPT)	X	BiH took over this Convention through the process of succession
7.	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Ratified on October 26, 2005
8.	Convention on Physical Protection of Nuclear Material (CPPNM)	X	BiH took over this Convention through the process of succession
9.	Hague Code of Conduct (HCOC)	X	Subscribed
10.	Geneva Protocol of 1925		
11.	International Atomic Energy Agency	X	Since 1995
12.	Nuclear Weapons Free Zone/Protocol(s)		
13.	Other Conventions/Treaties	X	Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water Treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the seabed and the ocean floor and in the subsoil thereof Vienna Convention on Civil Liability for Nuclear Damage
14.	Other Arrangements		
15.	Other	X	BiH has appointed the State Coordinator for the PSI activities.

OP 2 – Biological Weapons (BW)

State: **Bosnia and Herzegovina**

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others	
		YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document
1.	manufacture/produce	X	BiH is a Member State of the Convention on the Prohibition of Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. BiH does not possess BW. All activities listed in questions from 1 to 8 are prohibited and by Criminal Code of BiH defined as criminal offences.	X	Criminal Code of BiH, Article 193a
2.	acquire	X		X	
3.	possess	X		X	
4.	stockpile/store	X		X	
5.	develop	X		X	
6.	transport	X		X	
7.	transfer	X		X	
8.	use	X		X	
9.	participate as an accomplice in a.m. activities			X	Criminal Code of BiH, Article 30
10.	assist in a.m. activities			X	Criminal Code of BiH, Article 31
11.	finance a.m. activities			X	Criminal Code of BiH, Article 202
12.	a.m. activities related to means of delivery			X	Criminal Code of BiH, same articles as for the BW
13.	involvement of non-State actors in a.m. activities			X	Criminal Code of BiH, Article 201
14.	other			X	Criminal Code of BiH, extraterritorial application, Article 12

S/AC.44/2004/(02)/80/Add.1

OP 2 – Nuclear Weapons (NW)

State: **Bosnia and Herzegovina**

Deas national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		**National legal framework**		**Enforcement: civil/criminal penalties and others**	
		YES	**If YES, indicate source document of national implementation law**	**YES**	**If YES, indicate source document**
1.	manufacture/produce	X	BiH is a Member State of the Treaty on the Non-proliferation of Nuclear Weapons. BiH does not possess NW. All activities listed in questions from 1 to 8 present criminal offences.	X	Criminal Code of BiH, Article 193a
2.	acquire	X		X	
3.	possess	X		X	
4.	stockpile/store	X		X	
5.	develop	X		X	
6.	transport	X		X	
7.	transfer	X		X	
8.	use	X		X	
9.	participate as an accomplice in a.m. activities			X	Criminal Code of BiH, Article 30
10.	assist in a.m. activities			X	Criminal Code of BiH, Article 31
11.	finance a.m. activities			X	Criminal Code of BiH, Article 202
12.	a.m. activities related to means of delivery			X	Criminal Code of BiH, same articles as for the BW
13.	involvement of non-State actors in a.m. activities			X	Criminal Code of BiH, Article 201
14.	other			X	Criminal Code of BiH, extraterritorial application, Article 12

OP 2 - Chemical Weapons (CW)

State: Bosnia and Herzegovina

Deas national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others	
		YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document
1.	manufacture/produce	X	BiH is a Member State of the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. BiH neither produces nor possess chemical weapons. All activities covered by questions from 1 to 13 are prohibited by the Law on the implementation of the CWC.	X	Criminal Code of BiH, Article 193a
2.	acquire	X		X	
3.	possess	X		X	
4.	stockpile/store	X		X	
5	develop	X		X	
6.	transport	X		X	
7.	transfer	X		X	
8.	use	X		X	
9.	participate as an accomplice in a.m. activities	X		X	Criminal Code of BiH, Article 30
10.	assist in a.m. activities	X		X	Criminal Code of BiH, Article 31
11.	finance a.m. activities	X		X	Criminal Code of BiH, Article 202
12.	a.m. activities related to means of delivery	X		X	Criminal Code of BiH, same articles as for the BW
13.	involvement of non-State actors in a.m. activities	X		X	Criminal Code of BiH, Article 201
14.	other			X	Criminal Code of BiH, extraterritorial application, Article 12

S/AC.44/2004/(02)/80/Add.1

OP -3 (a) and (b)-Account for/Secure/Physically protect CW including Related Materials

State: Bosnia and Herzegovina

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others	
		YES	If YES, indicate source document	YES	If YES, indicate source document
1.	Measures to account for production	X	BiH neither produces nor possess CW. Measures to account for production, use and storage of toxic chemicals are defined by the Law on the Implementation of the CWC and by the Law on Production of Arms and Military Equipment (the latest applies only for the arms and military equipment production factories)	X	-Law on the implementation of the CWC, 5,6,7,8,10,11,14,15,16,20,21 -Law on Production of Arms and Military Equipment, Articles 3,5,6,10,11
2.	Measures to account for use				
3.	Measures to account storage				
4.	Measures to account transport	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials
5.	Other measures for accounting				
6.	Measures to secure production	X	Law on Production of Arms and Military Equipment (applicable only for arms and ME production factories)	X	Law on Production of Arms and Military Equipment, Art. 13
7.	Measures to secure use	X	Law on Production of Arms and Military Equipment (applicable only	X	Law on Production of Arms and Military Equipment, Art. 13

			for arms and ME production factories)		
8.	Measures to secure storage	X	Law on Production of Arms and Military Equipment (applicable only for arms and ME production factories)	X	Law on Production of Arms and Military Equipment, Art. 13
9.	Measures to secure transport	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials, Art. 110.
10.	Other measures for securing	X	-Instruction on Method of Permanent Oversight and Reporting in Production of Arms and Military Equipment -Instruction on Inspection Supervision over the Production and Overhaul of Arms and Military Equipment	X	Law on Production of Arms and Military Equipment, Art. 13
11.	Regulations for physical protection of facilities/ materials/transports	X	-Law on the Implementation of the CWC (Art. 13) -Law on Production of Arms and Military Equipment, Art. 9 (applicable only for arms and ME production factories) -Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials	X	-Law on Implementation of the CWC (Art. 28) -Law on Production of Arms and Military Equipment (Art. 13) -Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials (Art. 110-115)
12.	Licensing of chemical installations/ entities/use of	X	-Law on the Implementation of the CWC	X	Draft Amendments to the Criminal Code of BiH (Art. 193b, 193c)

	materials		(Art. 5,6,7,8,10,11) -Law on Production of Arms and Military Equipment , Art. 3,6,7,8,9 (applicable only for arms and ME production factories)		
13.	Reliability check of personnel				
14.	Measures to account for/secure/physically protect means of delivery	X	same laws as for the CW and related materials	X	same laws as for the CW and related materials
15.	National CWC authority	X	State Coordinating Body for the Implementation of the CWC	X	Law on the Implementation of the CWC (Art. 15)
16.	Reporting Schedule I, II and III chemicals to OPCW	X	Law on the Implementation of the CWC (Art. 15,16,17)	X	Law on the Implementation of the CWC (Art. 28)
17.	Account for, secure or physically protect old CWs	X	On the territory of BiH there is no old CWs		
18.	Other legislation/regulations controlling chemical materials	X	-Law on production of poisons -Law on transfer of poisons		
19.	Other				

OP -3 (a) and (b)-Account for/Secure/Physically protect NW including Related Materials

State: **Bosnia and Herzegovina**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		**National legal framework**		**Enforcement: civil/criminal penalties and others**	
		YES	**If YES, indicate source document**	**YES**	**If YES, indicate source document**
1.	Measures to account for production	X	BiH neither produces nor possess nuclear weapons. Law on Production of Arms and Military Equipment anticipates the measures included in the questions number 1, 6, 7, 8 (applicable only for the arms and military equipment production factories). Draft Law on Radiological and Nuclear Safety in BiH has been prepared and submitted to the Council of Ministers of BiH for its approval. This Law anticipates all measures included in the questions from 1 to 8.	X	Draft Law on Radiological and Nuclear Safety in BiH, Art. 23, 24, 25
2.	Measures to account for use				
3.	Measures to account storage				
4.	Measures to account transport				
5.	Other measures for accounting				
6.	Measures to secure production			X	Criminal Code of BiH, Art. 194
7.	Measures to secure use				
8.	Measures to secure storage				
9.	Measures to secure transport		Entities laws on transport of dangerous materials and	X	Entities laws on transport of dangerous materials and

S/AC.44/2004/(03)/80/Add.1

		X	Draft Law on international and inter-entity transport of dangerous materials		Draft Law on international and inter-entity transport of dangerous materials, Art. 110 Criminal Code of BiH, Art 194.
10.	Other measures for securing	X	-Instruction on Method of Permanent Oversight and Reporting in Production of Arms and Military Equipment -Instruction on Inspection Supervision over the Production and Overhaul of Arms and Military Equipment	X	-Law on Production of Arms and Military Equipment, Art. 13 -Criminal Code of BiH, Art 194
11.	Regulations for physical protection of facilities/ materials/transports	X	-Draft Law on Radiological and Nuclear Safety in BiH, Art. 16, 17, 18 -Law on Production of Arms and Military Equipment (applicable only for the arms and military equipment production factories) -Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials	X	-Draft Law on Radiological and Nuclear Safety in BiH, Art. 15 -Law on Production of Arms and Military Equipment (Art. 13) -Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials (Art. 110-115)
12.	Licensing of nuclear installations/entities/use of materials	X	-Law on Production of Arms and Military Equipment, Art. 3,6,7,8,9 (applicable only for the arms and military equipment production factories) -Draft Law on Radiological and Nuclear Safety in BiH (Art. 8)	X	-Law on Production of Arms and Military Equipment, Art 12, 13 -Draft Law on Radiological and Nuclear Safety in BiH, Art 23 -Criminal Code of BiH (Art. 194)
13.	Reliability check of personnel				
14.	Measures to account for/secure/physically protect	X	same laws as for the NW and related materials	X	same laws as for the NW and related materials

	means of delivery				
15.	National regulatory authority	X	Federal administration for radiation protection and radiation safety and Administration for radiation protection of Republika Srpska. The Draft Law on Radiological and Nuclear Safety in BiH anticipates establishment of the Regulatory agency of BiH		
16.	IAEA Safeguards Agreements	X	in force 28 December 1973		
17.	IAEA Code of Conduct on Safety and Security of Radioactive Sources				
18.	IAEA Database on Illicit Trafficking of Nuclear Materials and other radioactive Sources				
19.	Other Agreements related to IAEA	X	Projects of: -education of personnel and management of radioactive waste		
20.	Additional national legislation/regulations related to nuclear materials including CPPNM	X	Criminal Code of BiH	X	Art. 166-Importing Hazardous Material into BiH Art. 194.- Illicit Procurement and Disposal of Nuclear Material
21.	Other				

OP -3 (a) and (b)-Account for/Secure/Physically protect BW including Related Materials

State: Bosnia and Herzegovina

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		**National legal framework**		**Enforcement: civil/criminal penalties and others**	
		YES	**If YES, indicate source document**	**YES**	**If YES, indicate source document**
1.	Measures to account for production	X	-Law on Production of Arms and Military Equipment (applicable only for the arms and military equipment production factories) -Instruction on Method of Permanent Oversight and Reporting in Production of Arms and Military Equipment	X	Law on Production of Arms and Military Equipment, Art 13
2.	Measures to account for use				
3.	Measures to account storage	X	-permanent oversight- entities -inspection oversight- Ministry of Foreign Trade and Economic Relation (applicable only for the arms and military equipment production factories)	X	Law on Production of Arms and Military Equipment
4.	Measures to account transport	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-

			entity transport of dangerous materials		entity transport of dangerous materials (Art. 110-115)
5.	Other measures for accounting				
6.	Measures to secure production	X	Law on Production of Arms and Military Equipment (applicable only for the arms and military equipment production factories)	X	Law on Production of Arms and Military Equipment, Art. 13
7.	Measures to secure use	X	Law on Production of Arms and Military Equipment (applicable only for the arms and military equipment production factories)	X	Law on Production of Arms and Military Equipment, Art. 13
8.	Measures to secure storage	X	Law on Production of Arms and Military Equipment (applicable only for the arms and military equipment production factories)	X	Law on Production of Arms and Military Equipment, Art. 13
9.	Measures to secure transport	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials, Art. 110-115
10.	Other measures for securing	X	-Instruction on Method of Permanent Oversight and Reporting in Production of Arms and Military Equipment -Instruction on Inspection Supervision over the Production and Overhaul of Arms and Military Equipment (applicable only for the arms and military equipment production factories)	X	Law on Production of Arms and Military Equipment, Art. 13

11.	Regulations for physical protection of facilities/ materials/transports	X	-Law on Production of Arms and Military Equipment, Art. 9 (applicable only for the arms and military equipment production factories) -Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials	X	-Law on Production of Arms and Military Equipment (Art. 13) -Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials (Art. 110-115)
12.	Licensing/registration of facilities/persons handling biological materials	X	-Law on Production of Arms and Military Equipment (applicable only for the arms and military equipment production factories)	X	-Law on Production of Arms and Military Equipment, Art. 13 -Criminal Code of BiH (Art. 194)
13.	Reliability check of personnel				
14.	Measures to account for/secure/physically protect means of delivery	X	same laws as for the BW and related materials	X	same laws as for the BW and related materials
15.	Regulations for genetic engeneering work				
16.	Other legislation/regulations related to safety and security of biological materials				
17.	Other				

OP 3 (c) and (d) – and related matters from OP 6 and OP 10 –
Controls of CW including Related Materials

State: **Bosnia and Herzegovina**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials? Can violators be penalized?		**National legal framework**		**Enforcement: civil/criminal penalties and others**	
		YES	**If YES, indicate source document of national implementation law**	**YES**	**If YES, indicate source document**
1.	Border control	X	-Law on State Border Service of BiH, -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH, -Law on Oversight and Control of State Borders Crossings -Law on Implementation of the CWC -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual use items	X	-Criminal Law of BiH -Law on Customs Policy of BiH -Law on Customs Offences of BiH
2.	Technical support of border control measures	X	-Law on Oversight and Control of State Border Crossings -Law on Implementation of the CWC	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items
3.	Control of brokering, trading in, negotiation, otherwise assisting in sale of goods and	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use	X	Law on Import and Export of Arms and Military Equipment and Control of Import

S/AC.44/2004/(02)/80/Add.1

	technology		Items -Law on Oversight and Control of State Borders Crossings -Law on Implementation of the CWC		and Export of Dual-Use Items Criminal Code of BiH
4	Enforcement agencies/ authorities	X	Ministry of Foreign Trade and Economic Relations, Indirect Taxation Administration, State Border Service, Ministry of Security, ministries of interior of Federation of BiH, Republika Srpska and Brčko District, Ministry of Civil Affairs and health inspectors from Federation of BiH and Brčko District, State Agency for Investigation and Protection	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on the implementation of the CWC
5.	Export control legislation in place	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on the implementation of the CWC -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH -Law on customs offences of BiH
6.	Licensing provisions	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items, Art. 1-8 -Law on the implementation of the CWC, Art. 9, 11, 12	X	Criminal Code of BiH, Art. 193

7..	Individual licensing	X	-Law on the implementation of the CWC -Instruction on procedures for import, export and transit of dual-use items, Art. 2	X	Criminal Code of BiH, Art. 193
8.	General licensing	X	-Instruction on procedures for import, export and transit of dual-use items Art. 2	X	Criminal Code of BiH, Art. 193
9.	Exceptions from licensing	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items, Art. 7 and 10 -Law on the implementation of the CWC, Art. 12		
10.	Licensing of deemed export/visa	X	Instruction on procedures for import, export and transit of dual-use items		
11.	National licensing authority	X	Ministry of Foreign Trade and Economic Relations	X	Reports to the Parliamentary Assembly of BiH
12.	Interagency review for licensing	X	Ministry of Foreign Trade and Economic Relations, Ministry of Foreign Affairs, Ministry of Security, Ministry of Civil Affairs, Ministry of Defense of BiH	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items Law on the implementation of the CWC
13.	Control lists	X	-Common list of military equipment covered by the EU Code of Conduct on Arms Export -EU list of dual-use products and technologies -Annex on Chemicals from the CWC		
14.	Updating of lists	X	Publishing in the Official Gazette of BiH		

S/AC.44/2004/(02)/80/Add.1

15.	Inclusion of technologies	X	Published in the Official Gazette of BiH No. 75/05 (within an updated control list)		
16.	Inclusion of means of delivery	X	Published in the Official Gazette of BiH No. 75/05 (within an updated control list)		
17.	End-user controls	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on the implementation of the CWC	X	Control through "Wiskonsin Project" database TRACKER (should be operational by the end of March 2006)
18.	Catch all clause	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items		
19.	Intangible transfers				
20.	Transit control	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items, -Law on the implementation of the CWC, -Law on Oversight and Control of State Borders Crossings -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH -Law on Customs Offences of BiH

			use items		
21.	Trans-shipment control				
22.	Re-export control	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on the implementation of the CWC, -Law on Oversight and Control of State Borders Crossings -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH -Law on the System of Indirect Taxation of BiH -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual use items	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH -Law on Customs Offences of BiH
23.	Control of providing funds				
24.	Control of providing transport services	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials -Bylaws on necessary conditions and technical equipment of the vehicles and conditions for cruse of vehicles which transport dangerous materials	X	-Draft Law on international and inter-entity transport of dangerous materials -Criminal Code of Federation of BiH and Criminal Code of Republika Srpska
25.	Control of importation	X	-Law on Import and Export of Arms and Military Equipment and Control	X	-Law on Import and Export of Arms and

S/AC.44/2004/(02)/80/Add.1

			of Import and Export of Dual-Use Items -Law on the implementation of the CWC -Law on Oversight and Control of State Border Crossings -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH -Law on System of Indirect Taxation of BiH -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual use items		Military Equipment and Control of Import and Export of Dual-Use Items -Law on Oversight and Control of State Border Crossings -Criminal Code of BiH -Law on Customs Offences of BiH
26.	Extraterritorial applicability			X	Criminal Code of BiH, Art. 12
27.	Other				

OP 3 (c) and (d) – and related matters from OP 6 and OP 10 –
Controls of NW including Related Materials

State: **Bosnia and Herzegovina**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials? Can violators be penalized?		**National legal framework**		**Enforcement: civil/criminal penalties and others**	
		YES	**If YES, indicate source document of national implementation law**	**YES**	**If YES, indicate source document**
1.	Border control	X	-Law on State Border Service of BiH, -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH, -Law on Oversight and Control of State Borders Crossings -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual use items	X	-Criminal Law of BiH -Law on Customs Policy of BiH -Law on Customs Offences of BiH
2.	Technical support of border control measures	X	Law on Oversight and Control of State Border Crossings	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items
3.	Control of brokering, trading in, negotiation, otherwise assisting in sale of goods and	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use	X	Law on Import and Export of Arms and

S/AC.44/2004/(02)/80/Add.1

	technology		Items -Law on Oversight and Control of State Borders Crossing		Military Equipment and Control of Import and Export of Dual-Use Items Criminal Code of BiH
4	Enforcement agencies/ authorities	X	Ministry of Foreign Trade and Economic Relations, Indirect Taxation Administration, State Border Service, State Agency for Investigation and Protection	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH
5.	Export control legislation in place	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH -Law on customs offences of BiH
6.	Licensing provisions	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items, Art. 1-8	X	Criminal Code of BiH, Art. 193
7..	Individual licensing	X	Instruction on procedures for import, export and transit of dual-use items, Art. 2	X	Criminal Code of BiH, Art. 193
8.	General licensing	X	Instruction on procedures for import, export and transit of dual-use items Art. 2	X	Criminal Code of BiH, Art. 193
9.	Exceptions from licensing	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use	X	

			Items, Art. 7 and 10		
10.	Licensing of deemed export/visa	X	Instruction on procedures for import, export and transit of dual-use items		
11.	National licensing authority	X	Ministry of Foreign Trade and Economic Relations	X	Reports to the Parliamentary Assembly of BiH
12.	Interagency review for licensing	X	Ministry of Foreign Trade and Economic Relations, Ministry of Foreign Affairs ,Ministry of Security, Ministry of Civil Affairs, Ministry of Defense of BiH	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items
13.	Control lists	X	-Common list of military equipment covered by the EU Code of Conduct on Arms Export -EU list of dual-use products and technologies		
14.	Updating of lists	X	Publishing in the Official Gazette of BiH		
15.	Inclusion of technologies	X	Published in the Official Gazette of BiH No. 75/05 (within an updated control list)		
16.	Inclusion of means of delivery	X	Published in the Official Gazette of BiH No. 75/05 (within an updated control list)		
17.	End-user controls	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items	X	Control through "Wiskonsin Project" database TRACKER system (should be operational by the end of March 2006)
18.	Catch all clause	X	Law on Import and Export of Arms and Military Equipment and Control	X	

S/AC.44/2004/(02)/80/Add.1

			of Import and Export of Dual-Use Items		
19.	Intangible transfers				
20.	Transit control	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items, -Law on Oversight and Control of State Borders Crossings -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual use items	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH -Law on Customs Offences of BiH
21.	Trans-shipment control				
22.	Re-export control	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on Oversight and Control of State Borders Crossings -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH -Law on the System of Indirect Taxation of BiH -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH -Law on Customs Offences of BiH

			control of import and export of dual use items		
23.	Control of providing funds				
24.	Control of providing transport services	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials -bylaws on necessary conditions and technical equipment for the vehicles and conditions for cruse of vehicles which transport dangerous materials	X	-Draft Law on international and inter-entity transport of dangerous materials -Criminal Code of Federation of BiH and - -Criminal Code of Republika Srpska
25.	Control of importation	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on Oversight and Control of State Border Crossings -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH -Law on System of Indirect Taxation of BiH -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual use items	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on Oversight and Control of State Border Crossings -Criminal Code of BiH -Law on Customs Offences of BiH
26.	Extraterritorial applicability			X	Criminal Code of BiH, Art. 12
27.	Other				

S/AC.44/2004/(02)/80/Add.1

OP 3 (c) and (d) – and related matters from OP 6 and OP 10 – Controls of BW including Related Materials

State: **Bosnia and Herzegovina**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials? Can violators be penalized?		**National legal framework**		**Enforcement: civil/criminal penalties and others**	
		YES	**If YES, indicate source document of national implementation law**	**YES**	**If YES, indicate source document**
1.	Border control	X	-Law on State Border Service of BiH, -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH, -Law on Oversight and Control of State Borders Crossings -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual use items	X	-Criminal Law of BiH -Law on Customs Policy of BiH -Law on Customs Offences of BiH
2.	Technical support of border control measures	X	Law on Oversight and Control of State Border Crossings	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items
3.	Control of brokering, trading in, negotiation, otherwise		Law on Import and Export of Arms and Military Equipment and Control	X	Law on Import and Export of Arms and

	assisting in sale of goods and technology	X	of Import and Export of Dual-Use Items Law on Oversight and Control of State Borders Crossing		Military Equipment and Control of Import and Export of Dual-Use Items Criminal Code of BiH
4	Enforcement agencies/ authorities	X	Ministry of Foreign Trade and Economic Relations, Indirect Taxation Administration, State Border Service, State Agency for Investigation and Protection	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items Criminal Code of BiH
5.	Export control legislation in place	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH -Law on Customs Offences of BiH
6.	Licensing provisions	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items, Art. 1-8	X	Criminal Code of BiH, Art. 193
7..	Individual licensing	X	Instruction on procedures for import, export and transit of dual-use items, Art. 2	X	Criminal Code of BiH, Art. 193
8.	General licensing	X	Instruction on procedures for import, export and transit of dual-use items Art. 2	X	Criminal Code of BiH, Art. 193
9.	Exceptions from licensing	X	Law on Import and Export of Arms and Military Equipment and Control		

S/AC.44/2004/(02)/80/Add.1

			of Import and Export of Dual-Use Items, Art. 7 and 10		
10.	Licensing of deemed export/visa	X	Instruction on procedures for import, export and transit of dual-use items		
11.	National licensing authority	X	Ministry of Foreign Trade and Economic Relations	X	Reports to the Parliamentary Assembly of BiH
12.	Interagency review for licensing	X	Ministry of Foreign Trade and Economic Relations, Ministry of Foreign Affairs, Ministry of Security, Ministry of Civil Affairs, Ministry of Defense of BiH	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items
13.	Control lists	X	Common list of military equipment covered by the EU Code of Conduct on Arms Export EU list of dual-use products and technologies		
14.	Updating of lists	X	Publishing in the Official Gazette of BiH		
15.	Inclusion of technologies	X	Published in the Official Gazette of BiH No. 75/05 (within an updated control list)		
16.	Inclusion of means of delivery	X	Published in the Official Gazette of BiH No. 75/05 (within an updated control list)		
17.	End-user controls	X	Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items	X	Control through "Wiskonsin Project" database TRACKER (should be operational by the end of March 2006)
18.	Catch all clause	X	Law on Import and Export of Arms		

			and Military Equipment and Control of Import and Export of Dual-Use Items		
19.	Intangible transfers				
20.	Transit control	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items, -Law on Oversight and Control of State Borders Crossings -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual use items	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH -Law on Customs Offences of BiH
21.	Trans-shipment control				
22.	Re-export control	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on Oversight and Control of State Borders Crossings -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH -Law on the System of Indirect Taxation of BiH -Instruction on obligations of customs authorities when implementing the Law on export and import of	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Criminal Code of BiH -Law on Customs Offences of BiH

			weapons and military equipment and control of import and export of dual use items		
23.	Control of providing funds				
24.	Control of providing transport services	X	-Entities laws on transport of dangerous materials and -Draft Law on international and inter-entity transport of dangerous materials -Bylaws on necessary conditions and technical equipment for the vehicles and conditions for the cruse of vehicles which transport dangerous materials	X	-Draft Law on international and inter-entity transport of dangerous materials -Criminal Code of Federation of BiH and -Criminal Code of Republika Srpska
25.	Control of importation	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on Oversight and Control of State Border Crossings -Law on Customs Policy of BiH -Law on Customs Tariffs of BiH -Law on System of Indirect Taxation of BiH -Instruction on obligations of customs authorities when implementing the Law on export and import of weapons and military equipment and control of import and export of dual use items	X	-Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items -Law on Oversight and Control of State Border Crossings -Criminal Code of BiH -Law on Customs Offences of BiH
26.	Extraterritorial applicability			X	Criminal Code of BiH, Art. 12
27.	Other				

OP 6, 7 and 8 (d) – Control lists, Assistance, Information

State: **Bosnia and Herzegovina**

Can information be provided on the following issues?		**YES**	
1.	Control lists – items (goods/ equipment/ materials/ technologies)	**X**	List of the EU Code of Conduct on Arms Export EU List of dual-use products and technologies Annex on Chemicals from the CWC Law on Customs Tariffs of BiH
2.	Control list-other		
3.	Assistance offered		
4.	Assistance requested		
5.	Assistance in place (bilateral, multilateral)	**X**	Agreements on cooperation and mutual assistance in customs issues with Republic of Croatia and Serbia and Monte Negro
6.	Information for industry	**X**	State Coordination Body for the Implementation of the CWC has informed enterprises /companies on their obligations to implement CWC provisions, special web-site under construction, The Law on implementation of the CWC available on the web-site of the Official Gazette of BiH All information related to the implementation of the Law on Import and Export of Arms and Military Equipment and Control of Import and Export of Dual-Use Items are available on the web-site of the Ministry for Foreign Trade and Economic Relations
7.	Information for the public	**X**	Laws have been published in the Official Gazette (accessible by Internet)

S/AC.44/2004/(02)/80/Add.1